Ratified treaty no. 173, Documents relating to the negotiation of the treaty of October 20, 1832, with the Chickasaw Indians. October 20, 1832

Washington, D.C.: National Archives, October 20, 1832

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RATIFIED TREATY NO. 173

DOCUMENTS RELATING TO THE NEGOTIATION OF THE

TREATY OF OCTOBER 20, 1832, WITH THE CHICKASAW INDIANS

Florence Oct 26. 1832

J. Chickasaws

From Gen

John Coffee.

Forwards Chickasaw treaty - Letter draws for $220 —

No enclosures

January 8 - 1913

Pack - 1
Letter - 11

Nov 7 1832

Indian Office

The Hon Lewis Cass

Secretary of War

Florence Alabama
26th October 1832

Sir

Enclosed herewith is a treaty which I have made with the Chickasaw nation of Indians, and which I hope will be approved by the Govt. — Major Eaton was to have accompanied me as a commissioner, but from some cause, which I am not yet advised of, he did not come on and join me — therefore my acting alone, I hope will not be objectionable —

Although I was in treaty with the nation from the 20th Septr. until 22nd October, an unusual time for the transacting such a business, yet the expenses attending it will be small as I at present believe — The Indians were collected, by the agent to pay the annuity, and when I arrived at the encampment, he was preparing his census and pay rolls, preparatory to the payment — From expressions the agent had learned, that as soon as the Indians began to receive

the money for their annuity, that they would introduce spirits and get to drinking - and thirsty render it impossible for me to do any thing with them - the Chiefs were of the same opinion, and united with Col. Reynolds the agent in agreeing, to suspend the payment of the annuity, until the business of the treaty should be completed - I therefore agreed with the agent, that he should go on and feed the Indians, until he expended the sum which had been allowed him for that purpose - and that I would supply them afterwards - the supplies were continued to be issued in the same way, and by the same persons who had furnished, under the instructions of the agent for the annuity, and was throughout attended to by the agent - As soon as the annuity is over and we have time to make out the account they will be forwarded to you, - When at the treaty ground in

order to raise funds to defray the expenses of the treaty, I made a draft on you for $220 in favor (I believe) of Nathaniel Anderson dated about the 22nd. of October Inst. (the papers are not before me) which draft when presented you will please pay and charge to my account, until the accounts are presented, and full settlement is made

I have the honor to be
Sir, with great respect
Your Obt Servt

Jno Coffee

The Hon. Lewis Cass
Secretary of War

Copy Treaty
p
Briefs

D

(Page 1st)

Articles of a Treaty made and entered into, between Genl John Coffee, being duly authorized thereto by the President of the United States, and the whole Chickasaw Nation, in general council assembled at the council house on Pontotoc creek on the day of October 1832—

The Chickasaw nation find themselves oppressed in their present situation, by being subject to the laws of the states in which they reside — Being ignorant of the language & laws of the white man, they cannot understand or obey them, Rather than submit to this great evil, they prefer to seek a home in the west, where they may live and be governed by their own laws — And believing that they can procure for themselves a home in a country suited to their wants & condition, provided they had the means to contract & pay for the same — they have determined to sell their country & hunt a new home — The President has heard the complaints of the Chickasaw's & like them, believes they cannot be happy & prosper as a nation in their present situation & condition, & being desirous to relieve them, from the great calamity that seems to await them, if they remain as they are, He has sent his commissioner Genl Coffee, who has met the whole Chickasaw nation in general council, and after mature deliberation, they have entered into the following articles, which shall be binding on both parties, when the same shall be ratified by the President of the United States, by & with the consent of the Senate —

Article 1st

For the consideration herein after expressed, the Chickasaw nation do hereby cede to the United States all the land which they own on the East side of the Mississippi river including all the country where they at present live and occupy —

Article 2nd

The United States agree to have the country thus ceded, surveyed as soon as can be conveniently done, in the same manner that the public lands of the United States are surveyed in the states of Mississippi & Alabama, & as soon thereafter as may be practicable, to have the same prepared for sale — The President of the United States will then offer the lands for sale at public auction, in the same manner & on the same terms & conditions as other public lands, & such of the lands as may not sell at the public sale, shall be offered at private sale, in the same manner, that other private sales are made of the United states lands —

Article 3d

As a full compensation to the Chickasaw Nation, for the country, thus ceded, the United States agree to pay over to the Chickasaw Nation, all the money arising from the sale of the land which may be received from time to time, after deducting therefrom, the whole cost & expenses, of surveying and selling the land including every expense attending the same —

Article 4th. The President being determined that the Chickasaw people shall not deprive themselves of a comfortable home, in the country where they now are untill they shall have provided a country in the West to remove to, & settle on, with fair prospects of future comfort & happiness — It is therefore agreed to by the Chickasaw Nation, that they will endeavour as soon as it may be in their power after the ratification of this treaty to hunt out & procure a home for their people west of the Mississippi River, suited to their wants and condition; and they will continue to do so, during the progress of the survey of their present country as is provided for in the second article of this treaty — But should they fail to procure such a country, to remove to & settle on, previous to the first public sale of their country here, then & in that event they are to select out of the surveys, a comfortable settlement for every family in the Chickasaw Nation, to include their present improvements if the land is good for cultivation, and if not they may take it in any other place in the nation, which is unoccupied by any other person — Such settlement must be taken by sections — Small families of not more than five in number who have no slaves may have one section & families over five in number & no slaves shall have ~~one~~ two sections, & all families who own slaves may have two sections & large families who own ten or more slaves shall have three sections — When two or more families are found to be on the same section, then one of them may remain on the section & the other must remove away to some other place — The chiefs of the district will determine which of them remain & who will move off — Such persons who own slaves & cultivate two places may have two sections at each place if they require it, or in other places if the land is not good for cultivation, all of which tracts of land so selected & retained, shall be held & occupied

by the Chickasaw people uninterrupted, untill they shall find & obtain a country suited to their wants & condition — And the United States will guarantee to the Chickasaw Nation, the quiet possession & uninterrupted use of the said reserved tracts of land so long as they may live on & occupy the same, & when they shall determine to remove from said tracts of land, the Chickasaw Nation will notify the President of the United States of their determination to remove & thereupon, as soon as the Chickasaws shall remove, the President will proclaim the said reserved tracts of land for sale at public auction, & at private sale on the same terms & conditions as is provided for in the second article of this treaty — to sell the same, & the nett proceeds thereof to be paid to the Chickasaw Nation, as is provided for in the third article of this treaty — And if any of the Chickasaws shall have made valuable improvements on the places where they lived on the reservation tracts, the same shall be valued by some discreet person to be appointed by the President who shall assess the real cash value of all such improvements & give to the owner a certificate of the valuation, & the person who made the improvement, shall receive the said valuation out of the monies arising from the sale of the land claim, & the money shall be paid thereon by the proper person to be appointed by the President

Article 5th The Chickasaw nation cannot receive any part of the payment for their land, untill it shall be surveyed & sold, therefore in order to the greater facility in surveying & preparing the land for sale, & for keeping the business of the nation seperate and apart from the business & accounts of the United States, it is proposed by the Chickasaws & agreed to that a surveyor general be appointed by the President to superintend alone the surveying of this ceded country, or so much thereof as the President may direct, who shall appoint a sufficient number of deputy surveyors as may be necessary to complete the survey, in as short a time as may be

reasonable & expedient — That the said Surveyor general be allowed one good Clerk & one good draftsman to aid and assist him in the business of his office, in preparing the lands for sale, It is also agreed that two land offices be established for the sale of the lands, each to have one Register & one receiver of monies, to be appointed by the President and each Register & Receiver to have one good Clerk to aid & assist them in the duties of the office — One of the land offices to be kept in or adjoining the western side of the Country & the other to be kept in or near to the Eastern side of the Ceded Country at such places as the President may direct — As the before mentioned officers and Clerks are to be employed entirely in business of the nation appertaining to surveying & selling the land they will of course be paid out of the proceeds of the sales of the Ceded lands — That the Chickasaws may now understand as near as may be the expenses that will be incurred in the transacting of this business it is proposed & agreed to that the Salary of the Surveyor gen.l be fifteen hundred dollars a year, & that each of the Registers & Receivers of monies be allowed Twelve hundred dollars a year as a full compensation for their services & all expenses except stationary & postage on their official business, & that each of the Clerks & the draftsman be allowed Seven hundred & fifty dollars a year for their services & all expenses

Article 6th

It is expressly agreed that the United States shall not grant any right of preference, to any person, or right of occupancy in any manner whatsoever, but in all cases, of either public or private sale they are to sell they are to sell the land to the highest bidder, and also that none of the lands be sold in smaller tracts than quarter sections or fractional sections of the same size as near as may be, untill the Chickasaw nation may require the President to sell in smaller tracts

The Chiefs of the nation have heard that at some of the sales of the United States lands, the people there present, enter into combinations & unite in purchasing much of the land at reduced prices for their own benefit to the great prejudice of the government & they express fears that attempts will be made to cheat them in the same manner, when their lands shall be offered at public auction, it is therefore agreed that the President will use his best endeavours, to prevent such combinations or any other plan or state of things which may tend to prevent the

land selling for its full value

Article 7th # As the Chickasaws have determined to sell their country, it is desirable that the nation realize the greatest ~~sum~~ possible sum for their lands which can be obtained — It is therefore proposed & agreed to that after the President shall have offered their lands for sale, & shall have sold all that will sell for the government price, then the price shall be reduced, so as to induce purchasers to buy, who would not take the land at the government minimum price — And it is believed that five years from and after the date of the first sales, will dispose of all the lands that will sell at the Government price — If then at the expiration of five years as before mentioned, the Chickasaw nation may request the President to sell at such reduced price as the nation may then propose, it shall be the duty of the President to comply with their request, by first offering it at public & afterwards at private sale as in all other cases of selling public lands

Article 8th # The Chickasaw nation express their ignorance & incapacity to live & be happy under the State laws, they cannot read & understand them & therefore they will always need a friend to advise & direct them, & fearing at some day the government of the United States may withdraw from them the agent under whose instructions they have lived so long & happy they therefore request that the agent may be continued with them while here & wherever they may remove to & settle — It is the earnest wish of the United States Government to see the Chickasaw nation prosper & be happy & so far as is consistent they will contribute all in their power to render them so, therefore their request is granted There shall be an agent kept with the Chickasaws as heretofore, so long as they live within the jurisdiction of the United States as a nation either within the limits of the states where they now reside or at any other place — And the United States will protect them as a nation so long as they continue to comply with their treaties & support the friendly relations which has so long & so happily existed between the Chickasaws & the citizens of the United States

Article 9th # Whenever the Chickasaw nation shall determine to remove from & leave their present country, they are to give the President of the United States timely notice, of such intention, & the President will furnish them the necessary funds & means for their transportation & journey; & for one years provisions after they reach their new homes

in such quantity as the nation require, and the full amount of such funds, transportation, & provisions, is to be paid for out of the proceeds of the sales of the ceded lands, and should the Chickasaw nation remove from their present country, before they receive money from the sale of the lands hereby ceded, then and in that case, the United States shall furnish them any reasonable sum of money for national purposes, which may be ~~demanded~~ proper by the President of the United States, which sum shall also be refunded out of the ~~sales~~ of the ceded lands

Article 10th The Chickasaw nation have determined to create a perpetual fund for the use of the nation forever, out of the proceeds of the country now ceded away, and for that purpose, they propose to invest a large proportion of the money arising from the sale of the land in some safe and valuable stocks, which will bring them in an annual interest or dividend to be used for all national purposes; leaving the principal untouched, intending to use the interest alone —

It is therefore proposed by the Chickasaws & agreed to that the sum to be laid out in stocks as above mentioned shall be left ~~with the Government~~ Government of the United States, untill it can be laid out, under the direction of the President of the United States in such safe & valuable stock as he may approve of, for the use & benefit of the Chickasaw nation — The sum thus to be invested, shall be determined by the Chickasaw nation, before they draw any of the money arising from the sale of the ceded lands, from the United States — It is now agreed that the sum to be invested in stocks as above shall be at least equal to three fourths of the whole amount to be received from the sale of the ceded lands, and as much more as the nation may determine when they act on that subject — To facilitate the Surveys & sale of the lands in order to raise monies to be disposed of as above, the President is authorized to commence the survey of the country as soon as may be practicable after the ratification of the treaty —

Article 11th The treaty which was agreed upon and signed at Franklin in Tennessee in August 1830 — has not been carried into effect on account of the United States failing on their part to comply with the terms of that treaty — The Chickasaws have always been ready & willing on their part to comply with the whole &

& entire provisions of that treaty — And as a proof of their sin-
-cerity they now reserve & serve the following articles &
claims of that treaty: (to wit) They give and grant to Levi
Colbert, George Colbert, Lish o Mingo, William McGilvery
and Samuel Seely their old and faithful friends four
sections of land each, to include their present improvements
or if they have more than one improvement, they may divide
it, and take two sections at each place, if they prefer it do
so — Colberts Island, in Tennessee just above Colberts old ferry
is also granted to George Colbert, and also Levi Colbert shall have
one other section of land to be taken on any place he may
choose, so that he does not interfere with the other reserv-
-ations or tracts granted, and also one section is granted to
James Colbert & Levi Colbert to be sold & the proceeds divided
between them to pay a debt due to James Colbert, by a white
man who defrauded him of a large sum of money & for a horse
to Levi Colbert which was forcen away from him & lost

There is also granted to the following persons one section each
to include their improvements where they at present live or
occupy: (Towit) Leh-le-ya-to-pa, To-pul-ka, Leh-ter-hi-ya-ka-
tubba, Leh-le, ka-cha, Le-li-pambi, Pis-ta-la-tubba, Leh-
-ter-ma-tut-ka, Pis-ta-tubba, Ima ma hoult-te-tubba,
Baska-tubby, Leh-ter-ya-tubba, Ah-to-po-wa, Oak-la-
-na-ya-tubbe, Me-hin-go-che-tubbe, Thomas Seely,
Tum ma chuk ah, Ahu-le-mi-ya tubbe, Benjamin Lewis
Malcomb McGee — There is also granted to Capt. James Brown
Major James Colbert, John McCliah, & Isaac Alvertson two sections
each to include the improvements where they live —

There is also granted to Colo. Benjamin Renolds five quarter
sections to lie together in a body, and also to Major John L.
Allen and wife one Quarter section — These last two re-
-servations are made voluntarily by the nation, on account
of the kindness & attention received from them as agent subs-
-equent since they have been with them

All the foregoing tracts of land are to be granted to the persons therein named by Patents to be issued by the United States in fee simple in the same manner that other public lands are patented

Article 12th # Several young men have lately been called into notice, as being educated & capable of assisting in the affairs of the nation — to encourage them to be active & vigilant, in attending to the interest of the people, & for the expenses attending their station they are granted to Pitman Colbert, Martin Colbert, Jameson & Perry and Smith, two sections of land each to include their improvements or if the land is not good for cultivation, then they may take one section at any other place, which is unoccupied, to be granted to them, in fee simple to be kept or sold as they prefer —

Article 13th # It is represented by the half breeds or mixed bloods of the Chickasaws & white men with Chickasaw families in the nation, that they have been encouraged by the nation to try and raise their Children, in a different way from that of the untaught Indian, to educate them and learn them the arts of civilized life, to agriculture & the mechanic arts & they have been aided by the nation, in educating their children, by appropriations from the national funds & they flatter themselves that they have succeeded to a considerable extent, & if indulged and aided, they hope at no distant period to be useful to the nation, by furnishing from their families, teachers, farmers, & Mechanics, who will be able to advance civilization & the useful arts in the nation They further represent that their families cannot nor ought not to live as the untaught Indians do — they have been taught to provide all the necessary food & raiment, with the other comforts of life for themselves by their own exertions & industry & not as the common & uneducated Indians do — That the nation is now about to sell their Country & seek a new home far in the West

they wish to emigrate with them, but they cannot move their families, & live on the same means with the common Indians, they therefore propose to the nation, to grant them a tract of land to be used for a residence while here & to have the right to sell it when they are about to remove, that they may have the proceeds thereof to enable them to make their families comfortable, while on their journey, & to settle them when they arrive at their new ~~[illegible]~~ home. They do not ask this as a gift from the nation, but as a part of the interest which they own in common with the whole nation, & they are willing to pay the nation, the value thereof to be taken out of the annual dividends which may be first paid to the nation out of the funds arising from the sale of the lands - all of which they think is reasonable & they claim it as their right and they hope the nation will not hesitate to grant their request

The number of families claiming reservations shall not exceed forty five -

A few of the same class of families have expressed a wish to remain in their present country & become citizens of the States, when they reside & withdraw themselves & their families altogether from the Chickasaw nation, & they therefore request the nation, to grant to them & their families, their reasonable proportion of the land according to the number of their respective families, & the quantity of the land in the nation, the land to be granted to them in fee simple, for which they propose to give the nation a full & entire release of all claim & interest whatsoever in the nation - of land or money, or any thing else

whatever, which now of right belong to them in common with the Chickasaw Nation, — The number of families thus claiming shall not exceed eight — The nation admits the reasonableness of the request made by the two classes of families above mentioned & they agree that the first class of such families shall have a reservation of one section of land for the benefit of the heads of the families & of one quarter section to each of their children, to be taken in one entire tract to include their improvement where they now live or occupy & if they occupy two places, they may take it at either of the two places or they may divide it & take a part at each place if they prefer — The land to be estimated at one dollar & twenty five cents per acre, to be granted to them in fee simple, and to be paid to the nation by their retaining in their hands the annuities of such families to the full amount of the land so granted, out of the first annuities which will be paid to the nation, from the proceeds of the lands which sum so retained will be paid to the nation with the other annuities, and after the full amount of said tract of land shall be thus paid to the nation, such families will then be entitled to all the rights & interests in the nation, that the Chickasaw people have — provided they continue to live in the nation as citizens thereof —

And the second class of families, (to wit) such as wish to leave the nation & become citizens of the states there shall be granted one section of land to each head

of the family, & half a section of land to each of their children to be taken in one entire tract, to include their improvements or if they occupy two places they may take it at either place or divide it & take part at each place, & if the said heads of the families shall in writing under their hands & seals duly acknowledged before the agent & recorded in the court of the county where the land lies, make a full & clear relinquishment, of all their interest & claim in the Chickasaw nation, to land & money & every thing else whatsoever, then they shall be entitled to a patent for their land, to be made out by the Government of the United States in the same manner that other patents are issued to citizens of the United States for the public lands, when they have purchased & paid for the same — And forever thereafter such families & their offspring shall be considered as alienated from the Chickasaw people, & thenceforward they shall have no interest whatever in the Chickasaw nation

Article 14th. The Chickasaws feel grateful to their old chiefs, for their long & faithful services in attending to the business of the nation — They believe it a duty to keep them from want in their old & decayed age, with those feelings they have looked upon their old and beloved Chief Tishomingo who is now grown old & is poor & not able to live in that comfort, which his valuable life & great merit deserve, It is therefore determined to give him out of the national funds One hundred dollars, a year during the balance of his life, & the nation request him to receive it as a token of their

kind feelings for him on account of his long & valuable services

Our Old & beloved Queen Pue-cannila is now very old & very poor justice says the nation ought not to let her suffer in her old age it is therefore determined to give her, out of the national funds Fifty dollars a year during her life, the money to be put in the hands of the agent, to be laid out for her support under his direction, with the advice of the Chiefs —

Article 15th The Chickasaws have now sold their Country & must seek a new home, they all turn their eyes with one accord to their great & much beloved friend Major Levi Colbert, as the person best qualified in the nation of judging for them of a Country, suited to their wants and condition in all respects, he is therefore unanimously requested to undertake for them, that arduous & laborious task, as is provided for in the 4th article of this treaty — And as a compensation to him for that laborious service, to be performed we now grant to him Ten sections of land, to be taken any where in the nation so as not to interfere with any other tract which is granted in this treaty, which said lands shall be granted to him in fee simple to be used by him or sold as he may prefer —

Indian Office
November 27. 1833

Extract from a Letter
dated Fort William
the 12th July 1833

Chas. Metcalfe
Secretary

Extract from a letter
dated Fort William
the 12th July 1833

Chas. Metcalfe
Secretary

Florence Ala
12 November 1832

Sir, On the 26 Ult. I had the honor to address you, and to enclose therewith a treaty which I had closed with the Chickasaw nation of Indians. I then informed you, that as soon as Col. Reynolds the agent, returned home from the Kanucity business, that I would make out the account of expenses attending the treaty, and send them to you. I now comply with that promise. Enclosed herewith is my account current for all the expenditures attending the treaty, with the vouchers for the money paid it; by which you will see that the whole sum expended is $2802.88/100

You will also observe in the account that I have made drafts on you for nearly that amount, which are as follows,

to wit,

Draft in favour of Nathaniel Anderson dated 22 October 1832 - for	$220.00
Draft in favour of John McClish dated 12 Novem: 1832	1279.81¼
Draft in favour of Benjamin Reynolds dated 12 November 1832	388.77
Draft in favour of John L. Allen dated 12 Nov: 1832	336.69
	2224.87¼
Former balance in my hands	216.90½
Balance now due me is	361.10¼
	$2802.88

The above drafts are made payable at sight and which I hope it will be convenient for you to pay, when they are presented. The small balance due to me, you can order paid me at Nashville or in any other manner which suits you best.

I also enclose you the Journal of proceedings while negotiating the treaty. It contains every thing of importance which occurred, but is not so full as it might have been, on account of my having no Clerk, or

Secretary to aid me, only a few days towards the last of the business, to copy for me.

I have the honor to be Sir, with very great respect, your obt. Servt

Wm Coffee

The Hon Lewis Cass.

Secretary of War.

P.S. Enclosed I send you a rough sketch of the ceded country.

Department of War
Office Indian Affairs
Jany 16. 1833

Gentn.

Agreeably to your request, I have the honor to send herewith all the documents and papers which this office can furnish relating to the late negotiations with the Chickasaws. I am under the necessity of communicating a printed copy of the treaty concluded with them by Genl Coffee, the original having been sent to the Senate for ratification.

I have the honor to be
with high respect
Your mst Svt.
Elbert Herring

Hon Jno H Eaton &
Genl John Coffee &
Comrs &c

24th Sept 1832

The basis of a Treaty proposed to be made With the Chickasaw nation

1st the Chickasaw nation do hereby Cede to the United States all the land owned and possed by them on the East side of the Mississipi River whereon they at present reside, with the Exception of such reservations as May be hein After Granted by the provisions of this treaty

2d The United states agrees have the whole Country Surveyed as soon as it can conveniently be done in the same Mannor that the other public Lands of the United States are surveyd in the states of Mississipi and Alabama

and as soon as the survey is completed there shall be selected out of the same a number of Reservations sufficient in Extent for a Comfortable residence and home for all the Chickasaw people — untill they shall be able to procure a country in the west suited to there wants and condition whereon they May Remove to. & live free from all laws except those of there own making. — or such of them as may prefer to remain on there reservations and become Citizens of the state where they reside may have complete title to there lands included in there Reservations to live on or dispose of as they please at a proper time #

##

Such of the chickasaws or all of them who might choose to reside permanently on their reservations, the above basis permits to do so and at a proper time. supposed 4 or 5 years were to have complete titles to lands or to dispose of as they please. in the second article of our treaty we ask no more than this basis promises. and we hope our father the president will grant our wishes — where he knows we have given up all the balance of our country and have no home to go to at all. we have leave to guard our reservations and what we get for them if we cant get a home in the west. and we hope our father will let us do it.

his
Levi D Colbert
mark

3d # as soon after the Survey is completed as may be practicable in the usual mode to prepare the lands for Sale — the united states will offer for sale at publick Auction in the same manor and on the same terms & conditions of the other publick lands all the residue of the lands which may not be included in the reservations and such of the land as may not have been sold at the publick sale they will continue to sell at private sale in the same manner that other private Sales are made of the United states lands —

4th as a full compensation to the Chickasaw Nation for the country thus ceded — the United States agree to pay over to the chicka saw Nation all the Money arising from the sale of the lands which may be received from time to time — after deducting therefrom the whole cost of surveying and selling the lands including every expence attending the same

5th It is hereby agreed by the contracting parties that the treaty which was made and signed between the Chickasaw Nation & the United States at Franklin in Tennessee in augest 1830 be and the same is hereby made void and utterly ~~[illegible]~~ done away & of no effect except such parts thereof as may be revived and renewed in this Treaty. Jno Coffee

An estimate of the Chickasaw Country —

It ~~is~~ may be called, 120. miles long from east to west, that is to say from the Miss.i river, to the Alabama, or Chickasaw line in Alabama —

It may be called, 80. miles wide from north to south — that is from the Choctaw line, to the state of Tennessee line —

Equal to 9.600. Sections of one mile square — and makes 6,144.000. acres of land —

Proposed for the Chickasaw nation to reserve for the use of the Nation, to live on until they procure an other home — 1,500,000. — taken by sections out of the best of their lands, all to adjoin, or to be scattered about as the Nation may determine —

There will then be left, and subject to be sold by the United States, for the benefit of the Nation — 4.644.000. acres —

Suppose, out of the best of this, that one million of acres, will sell on an average of two dollars an acre, it will make. $2,000.000

One million more of the next best may sell for 1. 25. cts an acre — 3 — 1.250.000

$3.250.000

Suppose the whole expense of surveying and selling the land, as proposed will cost — 150.000

3,100.000

The Nation will then have left of the poor land 2,644,000. acres, that will be worth something very handsome, but is not taken into this calculation

The nation will also, hold the reserve of One & half million of acres, of the very best land in the nation, which may be sold when they leave the Country and move to any new Country which they may choose — The Government of the United States will agree to sell it for them for the highest price it will bring — and if advertised to be sold, it would command the attention of men of large capital, and it is believed would sell very high, to Cotton planters — It will certainly command, on average three dollars an acre, or more — at that price it would bring $4,500,000 —

Leaving this reserved land altogether, out of the Calculation, and also leaving the poor land out, which is worth a great deal — the first sales proposed, amount to $3.100.000. clear of all expense — Let the nation use, One hundred thousand dollars, in any way they please — there will then be left in money $3.000.000. dollars — put out at interest, or vest it in bank stock, or any other good stock, at the rate of six percent per annum, it will produce an interest for the use of the Nation of $180.000. per year for ever — which, paid out to the people of the nation in the same way that the Agent is now paying them — there will be $36. dollars for every man, woman & child in the Nation, to be paid to them every year of the world —

The will still be left the poor land, that will much of it sell for ~~a lo~~ a lower price — and no doubt but some of it will sell at 1.25. which is the present price of public lands, or rather it is the lowest price the Govt. will sell land for —

Perhaps the Chickasaw Nation may determine to remain on the reserve lands, and not seek a new home in the west — If they do so, this reserve will make them entirely comfortable — from the account of the Agent, there appears to be about One thousand families in the Nation — the reserve being 1500.000. acres, will give to each family 1500. acres. which is more than they can ever use, or at any rate not in two or three life times, yet to come — In this situation the children can be educated and raised up among the white people, and learn the manners, habits, and customs of the whites — and in time there will be no difference between them — the annual income of $180.000. a year will enable the Nation to improve the Nation in many respects, far beyond the whites, as we have no income but what we work for —

But suppose you determine to sell the reserve, and move to a new Country, you can sell your land as has been shewn for $4.500.000 — this sum also laid out in stock as before mentioned would, produce the sum of $270.000. a year — which added to the first will make

the enormous sum of $450,000. dollars a year, for ever — and if equally divided out, will make an annuity of ninety dollars, ahead, for every man woman and child in the nation —

The foregoing reflections are presented to the Chiefs of the nation for their consideration —

Jno. Coffee

25th Sept. 1832

89

~~L. Coffee~~

to

Genl Coffee

Estimate of

Cherokee

Country

/11

120
90
9,000
640
34,000
57,600
61,400

7

Colbert to Coffee
commencing to consider
the treaty

B

Genl. John Coffee

Chickasaw Nation
Sept. 29th 1832

Dr. Sr.

In reply. to the basis of a Treaty proposed by you on the part of the United States to be made with the Chickasaw Nation dated on the 26th Inst. After mature reflection. feel in some degree the importance of a matter so weighty — being well aware of our great Inability for Matters of such Magnitude. By having personal acquaintance with you. as well as our Father the President of the united States. entertain a lively hope of being Favourably dealt with in the negotiating of a treaty

We are aware by dividing our selves of our home to the extent required. before we have even the shadow of hope of obtaining a nother Con not fail of convincing you of the Sincerity of our regard for the Government of the united States believing as we do that a negotiation by you is not sought to our Injury Consequently consent to enter on this great Subject. at any time you may choose Either On the Subjects already proposed or on such as may have Occurd to your minds since

Relief us to be with sentiments of Esteem & Regard

Yours

After much deliberation on the subject of a Treaty and many endeavours to produce a general under=standing among our people. they express a wish to differ in some respects from the provisions for them, as set forth in your treaty.—

1st. that the bare value of Improvement of Indian reservations as proposed with there equity yet to come, will be Insufficient to discharge there debts & Inable them to remove else where, with any degree of comfort or Independance—

We Therefore wish to retain at least a right to dispose of the whole reservations as Contemplated for Our Individual residence in Our own Valley. under the Controul of the Chiefs of the nation and to be selected by them or some person to be appointed by the Chiefs for that purpose. either by sections half sections or fractional sections— article 4th.

There are also Objections to placing more then One Half of the Whole national fund in the hands of General Government for Invest=ment in Stocks,— see article 13th.

we also wish the sales by government to be Kept off 3 years. if we should fail to procure a So otable country to remove to sooner. so as to prevent white Setters. who may be admitted only by the Chiefs of the nation — see 4th article.

In as much as our population is thought to mature at an earlier age than 21 years, & many of them marry sooner, that provision be extend down to 17 years of age — & also to unfortunate off cast Girls or Widows — see 4th article.

That a few reservations be set apart to enable us to hunt a new home. also a school fund — and such other donations as were contemplated ~~to our agents &c~~

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2

No Revolutionary at all

$\neq$

These word shall be incertered in the Treaty

No Reserve is to be allow as is propose to be made for whites or half breeds or whole ~~Bro~~ Bloods - nothing shall be incertered in this treaty in any manner what so ever, as to allow any reserve to any one person for his private use - all land the whole reserve ~~tracts~~ of land which intended for the use of chickasaw people shall be sold, for the benefit and the national ~~pur~~ purposes - ~~except such~~ parts shall be improve, as is provided in the 5th arts of this treaty -

in addation to 4th arts

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in addation to 4th arts

[illegible]

Chickasaw treaty. 20th October 1832	Chickasaw treaty 20 November 1832
Art. 1. Cession of the whole of the Chickasaw country.	Art. 1. same (describing boundaries)
Art. 2. Provides for the survey and sale of the lands ceded in the same manner as other public lands.	Art. 2. Same as to the survey.
Art. 3. United States will pay to the Chickasaws the nett proceeds of all the lands.	Art. 2. and article 4th provide for the same thing in substance.
Art. 4. Provides for reservations to the Chickasaws in sections, to be quietly possessed until they remove, and then sold for the common benefit	Art. 2. Limits the reservations to 2500. sections to be selected in quarter sections by Levi Colbert and one other person. and patents to be issued to Colbert and five others in trust, who may sell 1000000 of acres. at 3$. and the balance at 2$. Colbert and his colleague to report a list of the reservations selected by them to the Register of the Land Office The President to fix the price of what shall remain unsold at 2$. The government to have the right of preemption when the Chickasaws are ready to remove or to sell. If the government will not buy. the trustees may convey in fee simple the 2500. sections. The proceeds to be at the disposal of the National Council. (art. 6. Trustees to sell 2500 sections upon removal)
Art. 14. The chiefs to furnish the Register with a list of the reservations for each family or individual which he shall not offer for sale	
Art. 5. Provides for the valuation of improvements and cultivated land. to be paid out of the proceeds of the ceded lands. but no pay. for land to exceed 1/8th of the tract reserved for the occupant.	Art. 6. same. except that the appraisement is to be made by some person appointed by the Council.
Art. 6. Provides for the appointment of a Surveyor General and deputies, clerk & draftsman Register. Receiver and two clerks. at specified Salaries to be p. from proceeds.	Art. 4 same. except. that the office of Surveyor General is limited to 3 or 4 years. and the salaries of all are to be paid from the lands ceded. and not reserved
Art. 7. Lands to be sold to the highest bidder in not less than quarter sections. & the Gov. to prevent combinations	Art. 8. same - except. that the Chickasaws may require the lands to be sold in less than quarter sections.
Art 8. chickasaws may fix the price at which lands remaining after 5 years shall be sold.	

Chickasaw treaty 20th October 1832	Chickasaw treaty 20 November 1832
art. 9. Chickasaws request that their agent may be continued with them before and after removal.	
art. 10. United states agreeto furnish means of transportation Habsistence and for other national purposes. to be refunded from the proceeds of the lands.	art. 9. same.
art. 11. Provides that 3/4 of the nett proceeds of all the lands ceded shall be invested in stock by the President & Senate to be withdrawn at the end of 50 years if the President and Senate think the Chickasaws are able to take care of it.	art. 4. Three quarters of the nett proceeds of the lands ceded and not reserved to be invested by the President & Senate from time to time as sales are effected. The Chickasaws to withdraw the whole of this money at the end of 25 years without the consent of the President and Senate. The remaining 1/4 of these nett proceeds to be paid annually to the Chiefs
	art. 3. The proceeds of the 2500 sections after paying the expense of finding and purchasing a new Country & of removing. and the debts of the nation, may be loaned to the Government by the Chickasaws in whole or in part on such terms as may be agreed upon by the parties.
art. 12. Provides for annuities to a Chief and Queen.	art. 5. same.
art. 13. Relative to the boundary line between the Chickasaws & Choctaws.	
art. 15. Provides against settlements by other persons than Chickasaws. before the lands are sold.	art. 10. same.
Supplement	
4 & 5 articles. No reservations to be leased or rented. all to be sold for the common benefit upon removal. Minimum price 3 $ an acre.	

Chickasaw treaty 20 October 1832

Reservations to be sold at private sale if possible.

Indian males of 17. Orphan Girls and widows to receive reservations

to art. 6. . . A section to be set apart for the Land Office

Chickasaws request the Establishment of a mail route.

arrangement of the Lease to James McCurry.

Chickasaw treaty 20th November 1832

to art. 3. of the supplement same.

to art 2. of the supplement same.

art. 7 (of the treaty) The Chickasaws may purchase a Country of any Indian tribe or tribes. west of Mipouri. Arkansas & Louisiana for which the President shall issue a Patent fee simple to the Chickasaws. and guarantee their quiet possession. The Chickasaws to be protected from other Indians and allowed to govern themselves.

art. 11 The Sales of Lands to be postponed for 3 years if the Chickasaws do not find a country in two years, and if no country can be had they may remain on the 2500 sections as long as they please.

art. 12: Reservation for Education

art. 13. Treaty of 1830. Void.

art. 14 Perpetual friendship

Supplement.

art. 1. Chickasaws wish to settle in the Caddo country. The U States guarantee exemption from State laws, if Texas should ever be acquired.

over

Chickasaw treaty 20 October 1832

Chickasaw treaty 20 November 1832

Supplement.

Art. 4 United States agree to pay 100.000 $. or such sum as Congress may fix, as a further consideration for the removal of the Chickasaws

art 5. All stock except horses to be appraised and paid for.

art 6. Limits the price of Surveying

art. 7 Reservations to Chiefs.